

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

JUSTIN OLIVER,)	
)	
Plaintiff,)	8:14CV62
)	
v.)	
)	
OMAHA POLICE DEPARTMENT and)	MEMORANDUM AND ORDER
AARON GURZICK, ser no. 1884,)	
)	
Defendants.)	
_____)	

This matter is before the Court on plaintiff's Motion for Extension of Time (Filing No. [15](#)). Plaintiff asks the Court to allow him to pay the filing fee after he is released from jail. (*Id.*) Under the Prison Litigation Reform Act, an indigent inmate who files a lawsuit in federal court must pay the \$350.00 filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the Court in installments. The method for collecting the filing fee from a prisoner is specifically provided for in [28 U.S.C. § 1915\(b\)](#). Section 1915(b) is written in mandatory terms ("shall"), leaving no discretion to the district court to waive an in forma pauperis prisoner's filing fee. Thus, plaintiff's request to waive the filing fee until after he is released from jail will be denied.

IT IS ORDERED that plaintiff's Motion to Extend (Filing No. [15](#)) is denied. Plaintiff must pay an initial partial filing

fee in the amount of \$1.40 by July 7, 2014. Failure to do so will result in dismissal of this matter without further notice. (See Filing No. [14](#).)

DATED this 1st day of July, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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